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Hussein incident a big lesson

Carter learns about secrets

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WASHINGTON — Recent indications suggest that President Carter, as distinct from Candidate Carter, is rapidly discovering the importance of top-quality intelligence and the necessity for means to keep intelligence secrets secret.

The new administration's baptism of fire came when the Washington Post, on the eve of Secretary of State Cyrus Vance's first Middle East trip, disclosed that the U.S. Government, via the CIA, had been paying multimillion-dollar subsidies ("bribes," the Post called them) for two decades to Jordan's King Hussein.

Let it be said immediately there is nothing wrong or unusual in a great power paying such subsidies (or "subventions," as they are known in diplomacy). Throughout Britain's two-century heyday as the world's greatest empire, her front-line instruments of power were her intelligence services, the Royal Navy and the pound sterling, billions of which were liberally dispensed to governments, statesmen and any foreign recipient who could thereby be brought to serve the purposes of the crown.

WHAT IS UNUSUAL is that a newspaper, which perpetually calls itself responsible, should disclose such arrangements — as if Hussein's subvention were somehow reprehensible — and get away with it.

In democratic Britain, from which we derive our Constitution and free institutions, they have a tough official secrets act under which whoever discloses, as well as whoever prints, information defined as secret receives a severe sentence that can include imprisonment as well as a fine.

Britain, for example and for contrast, is now in the process of expelling two turncoat Americans, Philip Agee, a former CIA officer who has written about agency secrets, and Marc Hosenball, a reporter whose specialty has been exposure of non-Communist intelligence personnel and operations. Besides their focus on the CIA, both Hosenball and Agee seem to have embarrassed MI6, Britain's intelligence service. Within weeks each was served with a deportation notice and could in all probability have been prosecuted had the crown wished.

The tough and tidy way Britain has for disposing of those who disclose state secrets is impossible here, partly



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for constitutional reasons, and partly on the inertia and unwillingness of Congress to pass legislation which would punish those who disclose official secrets.

Every other Western nation, except our own, has adequate laws against espionage and to protect its intelligence services.

The United States has neither.

Our World War I Espionage Act, under which most people imagine intelligence betrayals could be tried, is by virtue of a series of court decisions now virtually a dead letter which Congress has shown no inclination to update or tighten.

After the intelligence debacles of the last two years, it appeared briefly that the country, and even Congress, had been shocked into recognition that American intelligence — once the world's best — needed legal protection for its secrets. At the prompting of the former director of central intelligence, William E. Colby, President Ford proposed minimum safeguard legislation which would punish government employees (like Philip Agee) who, having sworn an oath of secrecy, knowingly break that oath and disclose intelligence sources.

(The press would be specifically exempted from the purview of the law, which in the recent case of Hussein's subventions would exempt the Post, but punish the State Department or a CIA employee who leaked the story.)

Until President Carter's abrupt introduction to the problem, the Colby-Ford proposal has languished. Now, in addition to the President, Vice-President Mondale has, in an interesting change of heart, started to talk about the need to restrict, rather than enlarge, access to state secrets.

IN WHAT WAS SURELY no chance indiscretion, Adm. Stansfield Turner, the new director of central intelligence, chose the occasion of his Senate confirmation hearings to underscore his support for the Colby-Ford proposal.

Simply because the President and high administration officials have started to acknowledge this central problem of the security of American intelligence, does not guarantee that Congress, the leakiest institution of government, will bite the bullet and act.

What it does indicate is that Mr. Carter, by every account a quick study, is learning the facts of life regarding intelligence, and that is all to the good.